

1 COLETTE VOGELE (SBN No. 192865)

Email: colette@vogelelaw.com

2 BENJAMIN COSTA (SBN No. 245953)

Email: ben@vogelelaw.com

3 **VOGELE & ASSOCIATES**

12 Geary Street, Suite 701

4 San Francisco, CA 94108

Tel: (415) 391-3311

5 Fax: (415) 358-4975

6 Attorneys for Plaintiff and Counter-defendant
VIOLET BLUE

8 UNITED STATES DISTRICT COURT FOR THE
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION
11

12 VIOLET BLUE, an Individual,

13 Plaintiff and Counter-defendant,

14 v.

15 ADA MAE JOHNSON a/k/a ADA
WOFFINDEN, an individual d/b/a
16 VIOLET BLUE a/k/a VIOLET a/k/a
VIOLET LUST; ASSASSIN PICTURES
17 INC., a California Corporation;
ASSASSINCASH.COM; BILL T. FOX,
18 an individual, a/k/a BILL FOX; FIVE
STAR VIDEO L.C., an Arizona Limited
19 Liability Company a/k/a Five Star Video
Distributors LLC d/b/a Five Star
20 Fulfillment; and DOES 1-10,

21 Defendants and Counter-claimants.
22

Case No. C 07-5370 SI

**[PROPOSED] ORDER GRANTING
PLAINTIFF VIOLET BLUE'S
NOTICE OF MOTION AND MOTION
FOR PRELIMINARY INJUNCTION**

The Honorable Susan Illston
Courtroom 10, 19th Floor
450 Golden Gate Avenue
San Francisco, CA 94102

Hearing Date: May 9, 2008
Hearing Time: 9:00 a.m.

23 The motion of Plaintiff Violet Blue for a preliminary injunction enjoining Defendant and
24 Counterclaim Plaintiff Ada Woffinden ("Woffinden"); ~~Assassin Pictures Inc., a California~~
25 ~~corporation ("Assassin"); Assassincash.com ("Cash"); Bill T. Fox, an individual, a/k/a Bill Fox~~
26 ~~("Fox"); Five Star Video L.C., an Arizona limited liability company a/k/a Five Star Video~~
27 ~~Distributors LLC d/b/a Five Star Fulfillment ("Five Star"); and Does 1-10 (collectively~~
28

her
 1 "~~Defendants~~", and ~~their officers, directors,~~ agents, servants, employees, ~~members,~~ attorneys,
 2 distributors and all other persons acting or attempting to act in concert or participation with ~~them~~, *her*
 3 came on for hearing on May 9, 2008, before this Court, the Honorable Judge Susan Illston
 4 presiding. All interested parties were represented by counsel and given an opportunity to be
 5 heard.

6 The Court, having read and considered the papers submitted, and having heard the
 7 argument of counsel, hereby ORDERS as follows:

8 1. ~~Defendants, any associated businesses of Defendants, and their officers, directors,~~ *her*
 9 agents, servants, employees, ~~members,~~ attorneys, distributors, and all other persons, firms or
 10 corporations, acting in concert and participation with ~~them~~, *he* their successors and assigns, are
 11 hereby enjoined from:

- 12 a) using names, trademarks, and Internet domains confusingly similar to, or
- 13 identical to, Plaintiff's trademark VIOLET BLUE (including the name
- 14 "Violetta Blue");
- 15 b) infringing any of Plaintiff's trademark rights;
- 16 c) identifying themselves as Violet Blue;
- 17 d) using the phrase "Violet Blue" in association with any goods or service;
- 18 e) attempting to trade upon Plaintiff's goodwill by capitalizing on the Violet
- 19 Blue name through inclusion of "Violet Blue" history, or by referencing
- 20 her former appearances as "Violet Blue";

21 2. ~~Defendants,~~ *in* within twenty (20) calendar days of this order, ~~are to cause any~~
 22 Internet domain within ~~their control,~~ *then* including but not limited to <http://www.violetblue.org> and
 23 <http://xxx.violetblue.org>, to be inactive, so that a browser directed to any such page is not aliased
 24 to any other website and email to [anything]@violetblue.org is not delivered to any email
 25 system.

26 3. ~~Defendants~~ *in* ~~are to remove,~~ *her* within twenty (20) calendar days of this order, ~~their~~
 27 confusingly similar trademarks and prohibited content from all materials to be distributed to the
 28 public, including through Defendants' website.

Dated:

5/9/08

Suzanne

THE HONORABLE SUSAN ILLSTON
UNITED STATES DISTRICT COURT JUDGE